

UNITED STATES DISTRICT COURT
DISTRICT OF RHODE ISLAND

GLORIA J. GEIGUS

v.

C.A. 14-318 ML

JAMES AND JUDITH BERGSTRESSER,
and UNITED STATES POSTAL SERVICE
EMPLOYEES

MEMORANDUM AND ORDER

This matter is before the Court on Plaintiff's Objection to a Report and Recommendation issued by Magistrate Judge Almond (Docket #3). The Magistrate Judge recommends that Plaintiff's Motion to Proceed In Forma Pauperis be denied or, in the alternative, that the Complaint be dismissed pursuant to 28 U.S.C. § 1915(e)(2).

In her Objection, Plaintiff advises that she continues to be unemployed and that her total monthly expenses total approximately \$475 (\$150 for utilities and rent and an additional \$325 for "food, clothing and staples"). She advises that her only asset as of August 4, 2014 is "roughly around \$2000" and that "this is to pay my living expenses." The Court finds that with this new information taken into account, Plaintiff does qualify for in forma pauperis status. Therefore, her Motion to Proceed In Forma Pauperis is GRANTED.

Plaintiff's Complaint, then, must pass screening pursuant to 28 U.S.C. § 1915(e)(2). This Court has reviewed the Complaint and, because Plaintiff is proceeding pro se, I have given it a liberal reading. Essentially, Plaintiff claims that the two named Defendants who reside outside this district put the wrong address on an invitation to a social event which was to be delivered to Plaintiff by the United States Postal Service. Further, Plaintiff alleges that postal employees in Newport, the City in which she resides, failed to deliver the invitation to her in time for her to

attend the event and/or they failed to send the invitation back to the sender. She seeks as “punitive and compensatory damages” the sum of \$67,391 for “the pain and suffering that this has caused me as well as the affect this has had on me and my life.” She further advises “my rational (sic) for this amount was by taking an average of their salaries from all that were involved.” Plaintiff’s Objection, p.6.

Even the most generous reading of Plaintiff’s Complaint and her explanation of her claim in her Objection to the Magistrate Judge’s Report and Recommendation lead this Court to conclude that the Complaint must be, and it is hereby, DISMISSED pursuant to 28. U.S.C. § 1915(e)(2)(B)(i) and (ii) because it is frivolous and it fails to state a claim on which relief may be granted.

SO ORDERED:

/s/ Mary M. Lisi
Mary M. Lisi
United States District Judge
August 11, 2014